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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,120	04/06/2000	Brett Bracewell Bonner	2100.0051	7646

7590

04/24/2002

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EXAMINER

LEE, SEUNG H

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 04/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/544,120

Applicant(s)

BONNER ET AL.

Examiner

Seung H Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 8-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) -- is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) is/are objected to.
- 8) ☐ Claim(s) are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. .
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). <u> </u> |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> | 6) <input type="checkbox"/> Other: <u> </u> |

DETAILED ACTION

Election/Restrictions

1. Receipt is acknowledged of the election filed 4 May 2001.
2. Claims 8-28 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to an intra-facility system for capturing, storing, and accessing object information comprising a server for storing and accessing the object information from one or more object information system and a method, computer program and computer readable storage medium for storing a computer program for determine dimensions of an object comprising displaying a three-dimensional model of the object to a human operator, there being no allowable generic or linking claim. Election was made **with** traverse in Paper No. 4. However, the examiner acknowledges that the applicant's election was made without specific argument or reasonings. Therefore, the examiner considers that the election was made **without** traverse.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1- 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah et al (US 5,291,564) (hereinafter referred to as 'Shah') in view of Mampe et al (US 4,992,649) (hereinafter referred to as 'Mampe').

Shah teaches a system for acquiring information about moving object or package (67) comprising an object dimension system or height sensor (40) for producing dimension information for objects, an object identification system or optical scanning device (10) for producing identification information by reading the optically readable label (4) of the object (see Fig. 3-4; col. 9, line 1 - col. col. 10, line 55).

However, Shah fails to teach or fairly suggest that the system includes an image capture system and bar code scanner, and time stamp information.

Mampe teaches a mail sorting system which includes a video image scanner (4) for capturing the electronic images of the package and the bar code detector (2) for reading the bar coded information affixed on the packages, and tagging the scanned images with time and date information (see Fig. 1; col. 2, line 64- col. 4, line 65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Mampe to the teachings of Shah in order to provide an improved and an enhanced management means for accessing/retrieving information (e.g., dimension information, identification information, etc.) of the packages/parcels using the time stamp or the time tag associated therewith. Moreover, such modification would provide an alternative method to confirm or acknowledge of sending/receiving of the packages/parcels by analyzing captured electronic images manually when the bar code scanner fails to read-in the information of

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packages/parcels successfully. Furthermore, such modification would provide a precise location of the packages/parcels instantly since the customer(s) can retrieve the time stamp information along with information of location where the packages/parcels are scanned. Although, Shah as modified by Mampe fails to particularly teach that the time stamp is correlated with the object dimension information and/or the object identification information, it would have been an obvious to one of ordinary skill in the art at the time the invention was made to modify the scanning system of Shah to generate the dimension information and/or the identification information with the time information (e.g., a time stamp, a time tag, etc.), and therefore an obvious expedient.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure;

Bonnet [US 6,189,702], Lutz et al [US 6,169,978], and Knowles et al [US 6,360,947] disclose packages/parcels handling device and method of same,

Zlotnick et al [US 5,737,438] discloses an image processing system,

O'Callaghan et al [US 6,311,892] and Collins, Jr. et al [US 5,237,163] disclose reading of barcode labels and verifying the same.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Seung H. Lee whose telephone number is (703) 308-5894. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

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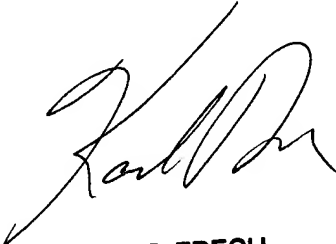
If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax-phone number for this group is (703) 308-5841 or (703) 308-7722.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.lee@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.


Seung H. Lee
Art Unit 2876
April 18, 2002


KARL D. FRECH
PRIMARY EXAMINER